

Minutes of the Special Meeting of the

**STATE BOARD OF EDUCATION
2500 NORTH LINCOLN BOULEVARD
STATE BOARD ROOM, SUITE 1-20
OKLAHOMA CITY, OKLAHOMA**

September 30, 2021

The State Board of Education (Board) met in special session at 9:33 a.m. on Thursday, September 30, 2021, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:25 a.m. on Wednesday, September 29, 2021.

The following were present:

Mr. Brad Clark, General Counsel to the Oklahoma state Dept. of Education (OSDE)
Mr. Travis Jett, Counsel to the Board
Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board
Mr. Brian Bobek, Oklahoma City
Mrs. Carlisha Williams Bradley, Tulsa
Mrs. Estela Hernandez, Oklahoma City
Mr. Trent Smith, Yukon

Members of the State Board of Education not present:

Mr. William "Bill" Flanagan, Claremore
Mrs. Jennifer Monies, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 9:33 a.m. Ms. Cheadle called the roll and ascertained there was a quorum.

**PLEDGE OF ALLEGIANCE, OKLAHOMA
FLAG SALUTE, AND MOMENT OF SILENCE**

Superintendent Hofmeister led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Hofmeister welcomed everyone to the meeting and advised the meeting will move swiftly to be respectful to board member schedules and maintain a quorum.

Updates were provided regarding the launch of the Oklahoma COVID-19 Prevention Program with OSDE and Oklahoma State Department of Health (OSDH) partnership. The Centers for Disease Control \$119 million grant will provide school districts, up to \$1 million and per student enrollment, funds to cover costs/resources to reduce spread of COVID-19; Congratulations to Oklahoma National Blue Ribbon Schools recognized by the United States Secretary of Education that included Ardmore Public School, Chisholm Middle School and Chisholm Public School, Edmond Memorial Elementary, McAllister Public School District, Huber Elementary School, Enid Public School District-Elementary School, Laverne Public School District, Pioneer School and Pioneer Public School District in Chickasha.

(Board member Hernandez arrived at 10:12 a.m.)

STUDENT LEARNING & ACHIEVEMENT

2020-2021 Statewide Assessment Results

Maria Cammack, Deputy Superintendent of Assessment, Accountability, Data Systems and Research, Dr. Bryan Koerner, Assistant Deputy Superintendent, and Dr. Juan D'Brot, Senior Associate, Center for Assessment, presented the spring 2021 statewide testing data results, state/nationwide effects of COVID-19 pandemic, instruction disruptions. Results review included federal and state required student testing Grades 3-8 assessments, mathematics and reading assessments, English language arts (ELA); Grades 5 and 8 science, Grade 11 ACT or SAT test and state science assessment; No spring 2020 assessments administered, COVID-19 school shutdowns and challenges, no accountability/report card data; 2020 State Board approved accountability flexibilities extending testing window, federal waiver for spring 2021 statewide testing participation, 2019 and 2021 spring assessment proficiencies, student grade level performance, test score

tools; and Tiffany Neill, Deputy Superintendent of Curriculum and Instruction addressed, national and local acceleration plans to fill student gaps, strategies to accelerate students up to grade level versus backfilling a year, acceleration programs and models, school support, resources and guidance accessible on OSDE website.

GOVERNMENT AFFAIRS

FY2023 State Department of Education Legislative budget request

Nat Barrack, Legislative Analyst, presented the \$3.26 billion FY2023 budget request recommended for the budgetary needs for school districts and includes state aid, supervision of general and special education functions, and administration.

Mr. Barrack and Mathangi Shankar, Chief Financial Officer-SDE overviewed and highlighted budgeted areas prioritized through the funding formula. Board members discussed and asked questions regarding funding increases and reduction areas due to student enrollment growth, program, and instructional materials cost; agency state/federal fund compliance, oversight, and legislative requirements; and state agency employee retention comparisons, discrepancies, and challenges.

Board member Smith moved to approve the FY2023 budget request. Board member Williams Bradley seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

(Superintendent Hofmeister recessed at 10:39 a.m. and returned at 10:48 a.m.)

LEGAL SERVICES/STATE BOARD OF EDUCATION OFFICE

Update, discussion, and possible action regarding Western Heights Independent School District, and a possible action to amend the terms of the District's status of accredited with probation

Brad Clark, General Counsel, presented a report of the Western Heights Independent School District April 2021 accreditation with probation 90-day compliance, monthly updates, state interventions; interim superintendent, school opening, COVID-19 effects; district facility conditions, transportation challenges, staffing and professional development; district employee relations and local board of education court ordered compliance.

Monty Guthrie, Deputy Superintendent of Finance & Federal Programs, and interim superintendent, said things were working together due to the tremendous amount of teamwork and support from varied state agencies, OSDE, district employee and community commitments. The goal is to develop a 'I want to be at Western Heights long term regardless of culture or grade level' and for the local board to move forward.

Board members asked questions and discussed amended accredited with probation status recommendation to include periodic intervention plan status updates, staff recruitment, and retention.

Pending investigation, claim, or action relating to

Ninnekah Public Schools, and possible action to amend accreditation status – Approved

Mr. Clark reviewed the accreditation status of Ninnekah Public Schools, updates on district investigative findings, sexual assaults on students, prior years of alleged misconduct, Title IX violations, compliance, district obligations and student rights.

Based on reported failure of obligations by Ninnekah Public Schools to properly implement the Title IX protections that help guard against the sexual discrimination and harassment of students, Mr. Clark presented the OSDE recommendation to amend the Ninnekah Public Schools District’s accreditation status to Accreditation with Probation, with conditions of probation to include: development and implementation of a Corrective Action Plan; regular updates to the State Board on progress and steps taken; and appropriate support of the district’s new Title IX team.

Robin Morris, Interim Superintendent and Regina Jones, Title XI Coordinator, Ninnekah Public Schools provided school board policy revisions, corrective action plan and trainings.

Board member Smith moved to approve the accredited with probation with conditions of the district as recommended. Board member Bobek seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

BOARD ADMINISTRATIVE

Minutes of the August 26, 2021, regular State Board of Education meeting – Approved

Board member Smith moved to approve minutes of the August 26, 2021, regular State Board of Education meeting. Board member Hernandez seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Minutes of the September 10, 2021, special State Board of Education meeting – Approved

Board member Bobek moved to approve minutes of the September 10, 2021, special State Board of Education meeting. Board member Smith seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Proposed 2022 State Board of Education regular meeting dates

Board member Smith moved to approve the proposed 2022 State Board of Education regular meeting dates. Board member Williams Bradley seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

CONSENT DOCKET - Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2021-2022 school year and other requests:

- (a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Putnam City Public Schools (SOAR Program), Oklahoma County
Putnam City Public Schools (Evening Alt Program), Oklahoma County
Oolagah-Talala Public Schools, Rogers County

- (b) **Cooperative Agreements for Alternative Education Programs – 70 O.S. § 1210.568**
Watts Public Schools, Adair County
Temple Public Schools, Cotton County
McCurtain Public Schools, Haskell County
Arkoma Public Schools, LeFlore County
Agra Public Schools, Lincoln County
Preston Public Schools, Okmulgee Count
Wilson Public Schools, Okmulgee County
Hammon Public Schools, Roger Mills County
Reydon Public Schools, Roger Mills County
Central High Public Schools, Stephens County
Waynoka Public Schools, Woods County
3 Years
Peavine Public Schools, Adair County
Fort Cob Public Schools, Caddo County
Woodall Public Schools, Cherokee County
LeFlore Public Schools, LeFlore County
Checotah Public Schools, McIntosh County
Avant Public Schools, Osage County
Kiowa Public Schools, Pittsburg County
Cheyenne Public Schools, Roger Mills County
Hooker Public Schools, Texas County

- (c) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Zion Public Schools, Adair County
Elk City Public Schools, Beckman County
Hydro-Eakly Public Schools, Caddo County
Norman Public Schools (Dimension Academy), Cleveland County
Kansas Public Schools, Delaware County
Laverne Public Schools, Harper County
McCurtain Public Schools, Haskell County
Holdenville Public Schools, Hughes County
Tishomingo Public Schools, Johnson County
Howe Public Schools, LeFlore County
Agra Public Schools, Lincoln County
Wickliffe Public Schools, Mayes County
Forest Grove, McCurtain County
Porum Public Schools, Muskogee County
Jones Public Schools, Oklahoma County
Bowring Public Schools, Osage County
Turkey Ford Public Schools, Ottawa County

McAlester Public Schools, Pittsburg County
Catoosa Public Schools, Rogers County
Oologah-Talala Public Schools, Rogers County
Central Public Schools, Stephens County
Broken Arrow Public Schools, Tulsa County
(**Aspen Creek ES, Country Lane Primary, Country Lane Interm.,
Creekwood ES, Highland Park ES, Leisure Park ES, Liberty ES,
Rosewood ES, Spring Creek ES, Timber Ridge ES, Wolfe Creek ES,
Centennial MS, Childers MS, Oliver MS, Oneta Ridge MS,
Sequoyah MS, Broken Arrow Freshman Academy, Broken Arrow HS**)
Liberty Public Schools, Tulsa County

3 Years

Forgan Public Schools, Beaver County
Lexington Public Schools, Cleveland County
Oilton Public Schools, Creek County
Stigler Public Schools, Haskell County
Arkoma Public Schools, LeFlore County
Cameron Public Schools, LeFlore County
Pocola Public Schools, LeFlore County
Midway Public Schools, McIntosh County
Sulphur Public Schools, Murray County
Western Heights Public Schools, Oklahoma County
Allen Public Schools, Pontotoc County
Grove Public Schools, Pottawatomie County

(d) **Library Media Specialist Certificate Exemption - 70 O.S. § 3-126**

Yukon Public Schools, Canadian County
Norman Public Schools, Cleveland County
New Castle Public Schools, McClain County
Sulphur Public Schools, Murray County
Deer Creek Public Schools, Oklahoma County
Oklahoma City Public Schools, Oklahoma County

3 Years

Salina Public Schools, Mayes County
Western Heights Public Schools, Oklahoma County

(e) Request approval on exceptions to State Board of Education Teacher certification regulations to permit issuance of emergency (provisional) certificates –**70 O.S. § 6-187**

(f) Request approval on flexibility to use textbook funds - **70 O.S. § 16-114a(B)**
Norman Public Schools, Cleveland County

Board member Williams Bradley moved to approve the Consent Docket. Board member Hernandez seconded the motion. Board member Hernandez seconded. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

FEDERAL PROGRAMS

Payment of joint federal program claims – Approved

Butner	CRRSA-ESSER II
Butner	CRRSA-ESSER II
Butner	CRRSA-ESSER II
Calera	CRRSA-ESSER II
Carney	IDEA-Project 621
Carney	IDEA-Project 641
Deer Creek	CRRSA-ESSER II
Deer Creek-Lamont	CARES Act-ESSER I
E-School VCA	CRRSA-ESSER II
Fort Supply	CRRSA-ESSER II
Frontier	IDEA-Project 615
Grand View	Title IV-21 st Century
Holdenville	CRRSA-ESSER II
Kenwood	Title IA-Project 511
Kenwood	CARES Act-ESSER I
Kenwood	IDEA-Project621
Mangum	CRRSA-ESSER II
Merritt	CRRSA-ESSER II
Moffett	CARES Act-ESSER II
Moffett	CRRSA-ESSER II
Peckman	CRRSA-ESSER II
Seminole	IDEA-Project 615
Smithville	CRRSA-ESSER II
Snyder	IDEA-Project 617
Tecumseh	CARES Act-ESSER I
Tecumseh	Title IA-Project 511
Tecumseh	Title IIA-Project 541
Tecumseh	CRRSA-ESSER II
Waurika	CRRSA-ESSER II
Zion	IDEA-Project 615

Mr. Clark said school districts missed the August 1st deadline to submit reimbursement requests in which some districts experienced supply chain issues after purchases were made due to COVID-19 challenges. Good cause letters were provided for federal funds and federal relief dollars

Board member Smith moved to approve payment of late federal claims. Board member Hernandez seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

SPECIAL EDUCATION SERVICES

Recommendation to recognize the micro-credentialing program in the area of severe/profound disabilities - Approved

Todd Loftin, Deputy Superintendent, overviewed the recommendation request to increase the profound certified teacher certification. The severe and profound visibility certification testing, two-year program, will contain retention, knowledge, and skills in the classroom.

Board member Bobek moved to approve increasing the severe and profound visibility certification program recommendation. Board member Smith seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Recognition of Department Employee for the month of September: Jamie Miles

Superintendent Hofmeister recognized Jamie Miles, Human Resource Specialist, for outstanding leadership, professionalism and going above and beyond in meeting the needs of children, school districts and OSDE.

LEGAL SERVICES/STATE BOARD OF EDUCATION

Resolve into Executive Session pursuant to 25 O.S. §§ 307 (B) (4) (7) and (8) for the purpose of discussing possible action to issue an emergency order summarily suspending the teacher certificates and certificate numbers of 1) Michael Todd Bunch; 2) David Pitts; 3) Heather Nicole Bycroft; 4) Timothy Van Etten; and 5) Charles Yackeyonny pending an individual proceeding for revocation or other action - 70 O.S. § 3-104: OAC 210:1-5-6

Convene into Executive Session

Board member Hernandez moved to convene into Executive Session at 1:12 p.m. Board member Bobek seconded. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Return to Open Session

Board member Bobek moved return to Open Session at 1:47 p.m. Board member Williams Bradley seconded. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions were made during the Executive Session. Those included in the executive session were OSDE Legal Counsels and Travis Jett, State Board Legal Counsel.

Board member Hernandez moved to issue emergency orders to summarily suspending the teacher certificates and certificate numbers of **1) Michael Todd Bunch; 2) David Pitts; 3) Heather Nicole Bycroft; 4) Timothy Van Etten; and 5) Charles Yackeyonny.** Board member Bobek seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

ADJOURNMENT

Board member Bobek moved to adjourn the meeting at 1:48 p.m. Board member Williams Bradley seconded the motion. The motion carried by unanimous vote.

The next regular meeting of the State Board of Education will be held on Thursday, October 28, 2021, at 9:30 a.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

Joy Hofmeister, Chairperson of the Board

Terrie Cheadle, Chief Executive Secretary